



02-09-09

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zheng Xin DONG

Serial No.: 10/582,534

Art Unit: David LUKTON

Filed: June 9, 2006

Examiner: 1654

Entitled: ANALOGUES OF GLP-1

Attorney Docket No.: 140P/PCT2/US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Reply to Restriction/Election of Species Requirement

In reply to the Office Action dated January 12, 2009 (the "instant Action"), requesting an election of one invention to prosecute in the above-captioned patent application, Applicant hereby provisionally elects to prosecute the invention of Group I, represented by Claims 1-12. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

The Examiner indicated that Applicant must elect a single species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. In reply, Applicant hereby provisionally elects the compound of Example 11, i.e., $(\text{Aib}^{8,35,37}, \text{Gaba}^{38})\text{hGLP-1(7-38)NH}_2$; (SEQ ID NO:4).

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Applicant's remarks begin on page 15 of this paper.

CERTIFICATE OF MAILING

The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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2-6-09
Dawn MacPherson
Dawn M. MacPherson